

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
JEL30290A DIV

In Re Application Of: Tetsuya ISHII

Serial No.  
09/672,455

Filing Date  
September 29, 2000

Examiner  
A. Chang

Group Art Unit  
2872

Title: **DIFFRACTIVE OPTICAL ELEMENT**

**RECEIVED**

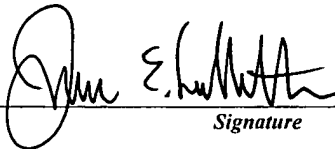
**MAR 08 2004**

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Transmitted herewith is: a Terminal Disclaimer. The fee therefor may be charged to Dep. Acc. No. 19-4375.

in the above identified application.

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Dated: March 3, 2004

James E. Ledbetter, Reg. No. 28,732

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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**Terminal Disclaimer To Obviate A Double  
Patenting Rejection Over A Prior Patent**

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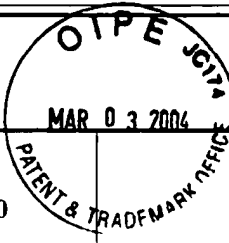
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Invention: **DIFFRACTIVE OPTICAL ELEMENT**

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Owner of Record:

**OLYMPUS OPTICAL COMPANY, LTD.**

**MAR 08 2004**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,157,488. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

*Signature*

Dated: March 3, 2004

**James E. Ledbetter, Reg. No. 28,732**

*Typed or Printed Name*

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☒ PTO suggested wording for terminal disclaimer was unchanged.  
☐ Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.